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DECLARATION FOR PATENT APPLICATION

As the below-named inventors, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHODS FOR DETERMINING THE TRUE SIGNAL OF AN ANALYTE, the specification of which

_____ is attached hereto as Attorney Docket No. _____).

XX was filed on March 30, 2001, as Application Serial No. 09/823,850 (Attorney Docket No. P-IS 4588)

and was amended on (or amended through) _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

Under Sec. 1.56, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) It establishes, by itself or in combination with other information,

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 2

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a prima facie case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the applicant takes in: (a) Opposing an argument of unpatentability relied on by the U.S. Patent and Trademark Office, or (b) Asserting an argument of patentability.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Trey E. Ideker

Inventor's signature: Trey E. Ideker

Date: 12/19/2001

Residence: Cambridge, Massachusetts

Citizenship: United States

Post Office Address: 34 Gorham Street, #3
Cambridge, Massachusetts 02138

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 3

Full name of second inventor: Vesteynn Thorsson

Inventor's signature: Vesteynn Thorsson

Date: Nov 15, 2001

Residence: Seattle, Washington

Citizenship: Iceland / Canada

Post Office Address: 4720 43 Avenue South
Seattle, Washington 98118

Full name of third inventor: Andrew F. Siegel

Inventor's signature: Andrew F. Siegel

Date: 11/16/01

Residence: Seattle, Washington

Citizenship: United States

Post Office Address: 19243 Ashworth North
Seattle, Washington 98105
33



44

POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE

Assignee THE INSTITUTE FOR SYSTEMS BIOLOGY is a co-owner of the entire right, title and interest of U.S. patent application Ser. No. 09/823,850, filed on March 30, 2001, as attorney docket number P-IS 4588, and entitled METHODS FOR DETERMINING THE TRUE SIGNAL OF AN ANALYTE, and any subsequently filed divisional, continuation, continuation-in-part or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:

CATHRYN CAMPBELL, Registration No. 31,815; DAVID A. GAY, Registration No. 39,200; CALVIN A. FAN, Registration No. 38,444; ANDREA L. GASHLER, Registration No. 41,029; JAMES J. WONG, Registration No. 34,949; DEBORAH L. CADENA, Registration No. 44,048; MELANIE K. WEBSTER, Registration No. 45,201; ASTRID R. SPAIN, Registration No. 47,956; and MARGARET M. PARR, Registration No. 48,111.

Please direct all telephone calls to Cathryn Campbell at (858) 535-9001 and address all correspondence to:

CATHRYN CAMPBELL
CAMPBELL & FLORES LLP
4370 La Jolla Village Drive
7th Floor
San Diego, California 92122
USPTO CUSTOMER NO. 23601

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 2

The undersigned is authorized to sign on behalf of the
Assignee.

Signature:



Name (typed):

Michael G. Arnold

Title:

Chief Operating Officer / VICE PRESIDENT

Assignee:

THE INSTITUTE FOR SYSTEMS BIOLOGY

Date:

10/2/01



AN EXECUTED POWER OF ATTORNEY FOR
PATENT APPLICATION BY ASSIGNEE

Attorney Docket No.: P-IS 4588
Serial No.: 09/823,850

I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail in an
envelope addressed to: Commissioner for Patents, Washington, D.C.
20231, on December 19, 2001.

By David A. Gay
David A. Gay, Reg. No. 39,200
December 19, 2001
Date of Signature



POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE

Assignee UNIVERSITY OF WASHINGTON is a co-owner of the entire right, title and interest of U.S. patent application Ser. No. 09/823,850, filed on March 30, 2001, as attorney docket number P-IS 4588, and entitled METHODS FOR DETERMINING THE TRUE SIGNAL OF AN ANALYTE, and any subsequently filed divisional, continuation, continuation-in-part or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:

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4370 La Jolla Village Drive
7th Floor
San Diego, California 92122
USPTO CUSTOMER NO. 23601

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 2 of 2

The undersigned is authorized to sign on behalf of the
Assignee.

Signature:



Name (typed):

David Brown

Licensing Officer

Title:

**Office of Technology Licensing
University of Washington**

Assignee:

UNIVERSITY OF WASHINGTON

Date:

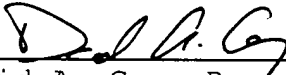
9-19-01



AN EXECUTED STATEMENT UNDER C.F.R.
3.73(B) WITH COPY OF EXECUTED
ASSIGNMENT

Attorney Docket No.: P-IS 4588
Serial No.: 09/823,850

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envelope addressed to: Commissioner for Patents, Washington, D.C.
20231, on December 19, 2001.

By 
David A. Gay, Reg. No. 39,200
December 19, 2001
Date of Signature



44

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: METHODS FOR DETERMINING THE
TRUE SIGNAL OF AN ANALYTE

Application Ser. No.: 09/823,850

Filed: March 30, 2001


Inventor(s): Ideker et al.

Attorney Docket No.: P-IS 4588

THE INSTITUTE FOR SYSTEMS BIOLOGY, a non-profit organization, states that it is the co-assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: 12/05/01

Signature: 

Name: G. Michael Arnold

Title: Vice President

COPY

ASSIGNMENT

This Assignment is made by Trey E. Ideker, of Seattle, Washington, and Vesteynn Thorsson, of Seattle, Washington, Assignors, to THE INSTITUTE FOR SYSTEMS BIOLOGY, Assignee, having a place of business at 4225 Roosevelt Way, N.E., Suite 200, Seattle, Washington 98105-6099.

WHEREAS, Assignors have invented a new and useful METHODS FOR DETERMINING THE TRUE SIGNAL OF AN ANALYTE for which an application for United States Letters Patent was filed on March 30, 2001, in the United States Patent and Trademark Office, bearing Serial No. 09/823,850 and identified as Attorney Docket No: P-IS 4588;

WHEREAS, Assignors believe themselves to be the original inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning an undivided part interest of Assignors right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

WHEREAS, Assignors are simultaneously assigning an undivided part interest in and to said invention to the UNIVERSITY OF WASHINGTON, these two assignments constituting an assignment of the entirety of Assignors right, title and interest in and to said invention;

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 2

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors sell, assign, and transfer to Assignee, an undivided part interest of Assignors right, title, and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights as stated herein.

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 3

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of an undivided part interest of Assignors interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the date(s) provided below.

Assignor: Trey E. Ideker

Trey Ideker Oct 26, 2001
Signature Date

STATE OF Massachusetts)
COUNTY OF Middlesex)

On October 26, 2001, before me, Clotilda M. Ware
Trey E. Ideker
personally appeared Trey E. Ideker,
_____ personally known to me - OR - _____ proved to me on the basis
of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Clotilda M. Ware
(Signature of Notary)

CLOTILDA M. WARE, Notary Public
My Commission Expires June 14, 2007

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 4

Assignor: Vesteynn Thorsson

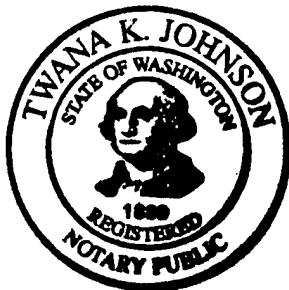
Vesteinn Thorsson Dec 5, 2001
Signature Date

STATE OF Washington)
COUNTY OF King)

On 12/5/01 before me, Twana Johnson
personally appeared Vesteinn Thorsson,
☒ personally known to me - OR - proved to me on the basis
of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Twana Johnson
(Signature of Notary)



EXPIRES: 09/01/2004



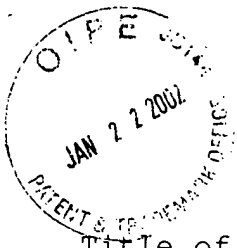
AN EXECUTED STATEMENT UNDER C.F.R.
3.73(B) WITH COPY OF EXECUTED
ASSIGNMENT

Attorney Docket No.: P-IS 4588
Serial No.: 09/823,850

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20231, on December 19, 2001.

By 
David A. Gay, Reg. No. 39,200

December 19, 2001
Date of Signature



STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: METHODS FOR DETERMINING THE TRUE SIGNAL
OF AN ANALYTE

Application Ser. No.: 09/823,850

Filed: March 30, 2001

Inventors: Ideker et al.

Attorney Docket No.: P-IS 4588

UNIVERSITY OF WASHINGTON, University, states that it is the co-assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: 9-19-01

Signature: 

Name: David Brown
Licensing Officer
Office of Technology Licensing
University of Washington

Title: _____

COPY

ASSIGNMENT

This Assignment is made by Trey E. Ideker, of Seattle, Washington, and Vesteynn Thorsson, of Seattle, Washington, Assignors, to the UNIVERSITY OF WASHINGTON, Assignee, having a place of business at 1107 N.E. 45th Street, Suite 200, Seattle, Washington 98105-4631.

WHEREAS, Assignors have invented a new and useful METHODS FOR DETERMINING THE TRUE SIGNAL OF AN ANALYTE for which an application for United States Letters Patent was filed on March 30, 2001, in the United States Patent and Trademark Office, bearing Serial No. 09/823,850 and identified as Attorney Docket No: P-IS 4588;

WHEREAS, Assignors believe themselves to be the original inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning an undivided part interest of Assignors right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

WHEREAS, Assignors are simultaneously assigning an undivided part interest in and to said invention to THE INSTITUTE FOR SYSTEMS BIOLOGY, these two assignments constituting an assignment of the entirety of Assignors right, title and interest in and to said invention;

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 2 of 4

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors sell, assign, and transfer to Assignee, an undivided part interest of Assignors right, title, and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights as stated herein.

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 3 of 4

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of an undivided part interest of Assignors interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the date(s) provided below.

Assignor: Trey E. Ideker

Trey Ideker Oct 26, 2001
Signature Date

STATE OF Massachusetts
COUNTY OF Middlesex)

On October 26, 2001, before me, Clotilda M. Ware personally appeared Trey E. Ideker,
___ personally known to me - OR - ___ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Clotilda M. Ware
(Signature of Notary)

CLOTILDA M. WARE, Notary Public
My Commission Expires June 14, 2007

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 4 of 4

Assignor: Vesteynn Thorsson

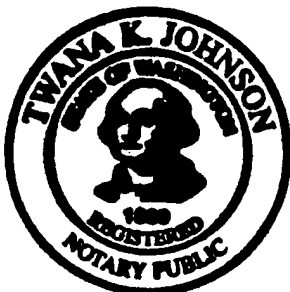
Vesteynn Thorsson, Dec 5 2001
Signature Date

STATE OF Washington)
COUNTY OF King)

On 12/5/01, before me, Twana Johnson
personally appeared VESTEYNN THORSSON,
☒ personally known to me - OR - proved to me on the basis
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instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Twana Johnson
(Signature of Notary)



EXPIRES: 09/01/2004